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PATENT APPLICATION

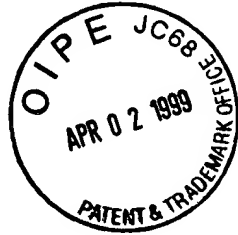
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

JOHNSON, ERIC A. et al.

Appln. No.: 08/458,019

Filed: 1 June 1995



Group Art Unit: 1651

Examiner: H. Lilling

For: PROCESSES FOR IN VIVO PRODUCTION OF ASTAXANTHIN AND PHAFFIA RHODOZYMA YEAST OF ENHANCED ASTAXANTHIN CONTENT

REQUEST FOR RECONSIDERATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This Request for Reconsideration is responsive to the Office Action mailed 2 December 1998. Attached hereto and herein incorporated by reference is a Petition for Extension of Time for a one-month extension making the due date for response 2 April 1999.

REMARKS

In paragraph 19 on pages 2-4 of the Office Action, the double patenting rejection was maintained.

The rejection is traversed for the following reasons.

Applicants once again point out that the policy behind the judicially-created doctrine of obviousness-type double patenting is to prevent the unjustified time-wise extension of a patent